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Application Number	09/881,501
Filing Date	6/14/2001
First Named Inventor	Alpern, et al.
Art Unit	2171
Examiner Name	E.P. Leroux
Attorney Docket Number	oracle01.013

ENCLOSURES (Check all that apply)

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Date	March 10, 2005	Reg. No.	30,093

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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
 (oracle01.013)

5 **Applicant:** Alpern, et al. **Paper No.:** N/A

Application No: 09/881,501 **Group Art Unit:** 2171

Filed: 6/14/01 **Examiner:** E.P. Leroux

10 **Title:** *Redirection of misses in queryable caches*

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15 Commissioner for Patents
 Alexandria, VA 22313-1450

Response to a non-final Office action under 37 C.F.R. 1.116

Summary of the prosecution

20 Examiner mailed a first Office action in the above patent application on 9/26/03. In the Office action, Examiner rejected claim 1 under 35 U.S.C. 102 as anticipated by U.S. patent 6,487,641, Cusson, et al., *Dynamic caches with miss tables*, having an effective filing date of 12/2/99, U.S. patent 5,832,521 (henceforth "Cusson"), or Klots, et al, *Method and apparatus for performing consistent reads in multiple-server environments*, issued 11/3/98 (henceforth "Klots"), and rejected

25 claims 1 and 2 as anticipated by U.S. patent 5,974,129, Bodnar, *Distributed virtual cache method for use in a database query control system*, issued 10/26/99 (henceforth "Bodnar"). Examiner further rejected claim 3 under 35 U.S.C. 103 as unpatentable over Bodnar in view of Klots and claim 4 under 35 U.S.C. 103 as unpatentable over Bodnar and U.S. published patent application 2992/0124082, San Andres, et al., *Architecture and associated methods for providing users of a*

30 *distributed services with an interactive directory of network content*, having an effective filing date of 6/7/95 (henceforth "San Andres"). In a response filed 12/12/03, Applicants amended their claims to better express their increased understanding of the significance of their invention and to better protect their invention and demonstrated that the amended claims were fully supported by the Specification as filed and that they were patentable over the Klots and Bodnar references.

35 On 3/15/04, Examiner mailed a final Office action in which he employed three new references to reject all of the claims. Claims 5-7, 10-12, 15-16 and 19-22 were rejected under 35 U.S.C. 102(b)

as anticipated by U.S. patent 6,073,168, Mighdoll, et al., *Method for reducing delivery latency of an image or other secondary information associated with a file*, issued 6/6/2000, henceforth “Mighdoll”. Claims 8, 13, 17, and 23 were rejected under 35 U.S.C. 103(a) as obvious in light of Mighdoll combined with U.S. patent 5,751,581, Tau, et al., *Material movement server*, issued 5/12/98, henceforth “Tau”. Claims 9, 14, 18, and 24, finally, were rejected under 35 U.S.C. 103(a) as obvious in light of Mighdoll combined with U.S. patent application publication 2002/0091853 A1, Moore, et al. *Enhancing application performance in dynamic networks*, having a priority date of 1/5/2001, henceforth “Moore”.

Applicants responded to the Office action of 3/15/04 on 3/29/04 by traversing the rejections. Examiner replied with an Advisory Action indicating that he would not allow the application and Applicants filed a Request for Continued Examination on 4/30/04. In the next Office action, mailed 6/18/04, Examiner objected to the *Abstract* as being too long and rejected all claims under 35 U.S.C. 102(b) as anticipated by U.S. Patent 6,009,271, Whatley, *Method of retrieving data from a relational database*, issued Dec. 28, 1999 (henceforth “Whatley”) and under 35 U.S.C. 102(e) as anticipated by U.S. Patent 6,285,997, Carey, et al., *Query optimization with deferred update and autonomous sources*, filed Nov. 16, 1998 and issued Sept. 4, 2001. Applicants provided a new *Abstract* and traversed the rejections. Applicants further included an IDS with a new reference, Shaul Dar, et al., “Semantic data caching and replacement” in: *Proceedings of the 22nd VLDB Conference*, Mumbai (Bombay), India, 1996 (henceforth “Dar”) with this response. Dar appeared to Applicants’ attorney to be at least as relevant to Applicants’ claims as any reference cited up to that point in the prosecution and the response also included a discussion of why Applicants’ claims are patentable over Dar.

Examiner responded to Applicants’ traversal of the rejections by mailing a second non-final Office action on 1/10/2005 (henceforth the “current office action”). In the current Office action, Examiner rejected claims 5-24 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement and claims 5-24 under 35 U.S.C. 112, second paragraph, as being vague and indefinite. Examiner further rejected claims 5-7, 10-16, and 19-24 under 35 U.S.C. 102(e) as anticipated by U.S. Pat. No. 6,243,715, Bogantz, et al., *Replicated database synchronization method . . .*, filed 11/9/98 (henceforth “Bogantz”), claims 8 and 17 as obvious over the combination of Bogantz and published U.S. patent application US 2002/065919, Taylor, et al., *Peer to peer caching network for*

user data, filed 11/20/00 (henceforth “Taylor”, and claims 9 and 18 under 35 U.S.C. 103(a) as obvious over the combination of Bogantz and U.S. Patent number 5,806,074, Souder, et al., *Configurable conflict resolution in a computer-implemented distributed database*, issued 9/8/98 (henceforth “Souder.”) Applicants are amending their claims to overcome the rejection under 35 U.S.C. 112, second paragraph and are traversing the rejections under 35 U.S.C. 112, first paragraph, 35 U.S.C. 102, and 35 U.S.,C. 103.

Please amend the claims as follows: